

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

UNITED STATES OF AMERICA)
)
)
v.)
)
THE BOEING COMPANY,)
)
)
Defendant.)
)

No. 4:21-CR-5-O

**JOINT MOTION OF THE PARTIES TO TERMINATE PRETRIAL DEADLINES AND
VACATE THE TRIAL DATE**

The parties, the United States and The Boeing Company (“Boeing”), hereby move the Court to terminate the pretrial deadlines and to vacate the trial date established by this Court’s Scheduling Order, Docket No. 294. In support, the parties state as follows:

1. On March 25, 2025, this Court entered a Scheduling Order setting a trial date of June 23, 2025, and setting various pretrial deadlines.

2. On May 29, 2025, the United States filed a motion to dismiss the Criminal Information pursuant to Federal Rule of Criminal Procedure 48(a). On that same date, this Court entered an order directing the parties and counsel for the families to confer on a briefing schedule for the motion and to provide a status report by June 4.

3. On May 31, 2025, the United States filed a status report indicating that the parties and counsel for the families had met and conferred and proposing an agreed briefing schedule that would conclude with reply briefs being filed on June 25, 2025.

4. On June 1, 2025, the Court entered the agreed briefing schedule on the motion to dismiss, setting the response deadline on June 18, 2025, and the reply deadline on June 25, 2025.

5. Under the Court's Scheduling Order, as amended by subsequent order, motions in limine and pretrial motions are due today, Monday, June 2. Various other pretrial deadlines follow in the month of June. And the trial date is set to commence prior to the conclusion of briefing on the United States's motion to dismiss.

6. The parties submit that there is good cause for terminating the pretrial deadlines and the trial date, and that doing so conserves the Court's and the parties' resources. The United States and Boeing have reached a resolution of this matter, and the United States has filed a motion seeking dismissal of this entire action. The Court has entered a briefing schedule on that motion that, while prompt, extends past the current trial date. Further, pursuant to the parties' non-prosecution agreement, the United States has agreed not to further prosecute Boeing on the Criminal Information. Cancelling the pretrial deadlines and terminating the trial date will accordingly allow the Court to consider the briefing on the motion to dismiss and avoid expending resources and the distraction of pretrial proceedings when a motion is pending that would dismiss the entire action.

For these reasons, the parties respectfully move the Court to terminate the pretrial deadlines and vacate the trial date.

Dated: June 2, 2025

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Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on June 2, 2025, the foregoing was filed with the Clerk of the United States District Court for the Northern District of Texas using the CM/ECF system. The system will serve counsel of record.

s/ Benjamin L. Hatch
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